

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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5 NEW ALBERTSON'S, INC.,

6 Plaintiff,

7 vs.

8 BRADY, VORWERCK, RYDER & CASPINO,
9 *et al.*,

Defendants.

2:10-cv-00284-GMN-VCF

ORDER

10 On July10, 2015, Defendant Brady, Vorwerk, Ryder & Caspino filed a motion for a settlement
11 conference (#118), which the court granted (#119). Settlement conferences have been set for September
12 9, 2015 (#119) and October 21, 2015 (#124). The conferences did not proceed as scheduled because the
13 parties requested continuances.

14 On October 21, 2015, the court held a telephonic hearing with the parties in an attempt to set a
15 firm date for a settlement conference. Some counsel and parties or their representatives planning to attend
16 the settlement conference did not participate in the telephonic hearing. Representatives present did not
17 have calendar information necessary to schedule the continuance. As a result, a firm settlement conference
18 setting was not possible.

19 The parties were directed “to meet and confer and select a date(s) in which all parties are available
20 to attend a settlement conference. Once date(s) has/have been designated by the parties, they shall contact
21 the judicial assistant of this court and check the availability of this court's calendar in setting a settlement
22 conference.” (#125).

23 On September 10, 2015, the Honorable Chief Judge Gloria M. Navarro entered a minute order
24 denying Defendant’s Motion to Dismiss (#106) without prejudice. The minute order further provides, “If
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1 the parties dispute is not resolved at the settlement conference, Defendant may refile the motion within (14)
2 fourteen days after conclusion of the conference."

3 One week has passed and the parties have not contacted chambers with new proposed dates.
4 Without the cooperation of the parties and their counsel, a settlement conference cannot be set.

5 Accordingly, IT IS HEREBY ORDERED that defendant Brady, Vorwerk, Ryder & Caspino may
6 refile its Motion to Dismiss (#106) on or before November 13, 2015. If the motion is not refiled, the Joint
7 Pretrial Order is due December 11, 2015. If the above referenced motion to dismiss is timely filed, the
8 date for filing the Joint Pre-trial Order will be suspended until 30 days after the decision on the dispositive
9 motions or further order of the Court.

10 DATED this 30th day of October, 2015.

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14 CAM FERENBACH
15 UNITED STATES MAGISTRATE JUDGE
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